

REMARKS

With entry of this amendment, claims 10-12 and 14-25 are pending. Claims 1-7, 9 and 13 have been cancelled and rewritten as claims 14-25. Claim 8 has been cancelled. Support for the new claims can be found in the originally filed claims and throughout the specification. No new matter has been added. Reconsideration is requested.

Claims 1 and 2 were objected to because of minor typographical errors. Claims 14 and 15, which replace claims 1 and 2 are believed to be free of errors.

Claims 1-9 and 13 were rejected under 35 USC § 112, second paragraph, as being indefinite for failing to point out and distinctly claim the subject matter regarded as the invention.

Claim 1 was rejected over the expressions " B^{1-Z} " and " B^1-B^Z ". These expressions do not appear in claim 14, which replaces claim 1. Claim 1 was also rejected over the recitation "non-naturally occurring nucleobase". Applicants respectfully submit that the term "nucleobase" is a general term for any of the nitrogenous rings found on nucleosides, nucleotides, and nucleic acids. A non-naturally occurring nucleobase is one that is not found in nature, such as a nucleobase that has been modified by the addition of substituent group(s). Claim 1 was rejected over the recitation of "H/Fluorophore/Biotin". This has been replaced by "H or Fluorophore or Biotin". Similarly, the definition of R_2 has been changed as helpfully suggested by the Examiner.

In Claim 2, the examiner found the term "involving" to be unacceptable. This term is not found in Claim 15, which replaces Claim 2. The Examiner also found the term "substitutions...as below" indefinite because it was allegedly not clear whether the substitutions are in the aminoethylglycyl PNA I or a substitution of the PNA I into PNA II, or something else. Claim 15 clearly recites that aepPNA III comprises non-chiral *aeg* unit of aminoethylglycyl PNA I and chiral *aep* monomeric unit IV. The Examiner found the phrase "a,b,c,d,m,n are integers with independent values in the range of 1 to 10 (sic) and various combinations thereof" to be indefinite because it was unclear to what "various combinations thereof" referred. This expression is not found in claim 15. The expressions "corresponding", "e.g." and "i.e." have likewise been removed from claim 15.

Claim 2 was rejected over the recitation of "H/COCH₃ or L". This has been replaced by "H, COCH₃ or L". Claim 2 was rejected over the expressions "B^{1-Z}" and "B¹-B^Z". These expressions do not appear in claim 15, which replaces claim 2.

Claims 1-4 and 13 were rejected under 35 USC § 112, first paragraph, as failing to comply with the written description requirement. To the extent that this rejection is considered to apply to the corresponding pending claims, it is traversed for the following reasons.

It is the Examiner's position that claims 1-4 encompassed all non-naturally occurring nucleobases, and that this subject matter was not described in the specification in such a way as to reasonably convey to one skilled in the art that the inventors had possession of the claimed invention at the time the application was filed. Applicants respectfully submit that the meaning of non-naturally occurring nucleobases is familiar to those of skill in the art, meaning nucleobases that are not found in nature, and that the means for making the compounds of the invention using such nucleobases will be evident to the skilled practitioner using the general knowledge of the art and the methods set forth in the present specification. Such nucleobases include, for example, naturally occurring nucleobases (e.g. adenine, thymine, etc.) that have been routinely modified by the addition of substituent groups. Reconsideration and withdrawal of the rejection are respectfully requested.

It is also the Examiner's position that claim 13 encompasses all "other" pharmaceutically acceptable agents, and that no description is given of such agents. It is respectfully submitted that many suitable agents are known to those of skill in the art, and a listing of such compounds in the specification is not required. Applicants are entitled to claims of the breadth and scope including the compounds of the present invention in combination with other pharmaceutically active agents. Reconsideration and withdrawal of the rejection are respectfully requested.

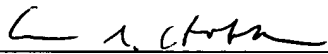
Claims 1-4 and 13 were rejected under 35 USC § 112, first paragraph, as failing to comply with the enablement requirement. To the extent that it may be considered to apply to the corresponding pending claims, this rejection is traversed for the following reasons.

It is the Examiner's position that claims 1-4 encompassed all non-naturally occurring nucleobases, and that this subject matter was not described in the specification in such a way as to enable one skilled in the art to make and use the claimed invention.. Applicants respectfully submit that the meaning of non-naturally occurring nucleobases is familiar to those of skill in the art, meaning nucleobases that are not found in nature, and that the means for making and using the compounds of the invention with such nucleobases will be evident to the skilled practitioner using the general knowledge of the art and the methods set forth in the present specification. Reconsideration and withdrawal of the rejection is respectfully requested.

All rejections having been addressed, it is respectfully submitted that this application is in condition for allowance, and Notice to that effect is respectfully requested.

Respectfully submitted,

Dated: 2/25/05


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